

AMENDED IN ASSEMBLY MAY 13, 2010

AMENDED IN ASSEMBLY APRIL 15, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2614

Introduced by Assembly Member John A. Perez
(Coauthors: Assembly Members Tom Berryhill, Bradford, Carter,
Fong, Fuentes, Fuller, Ma, Skinner, Swanson, and Villines)

February 19, 2010

An act to ~~add Section 25450.6 to, and to add Chapter 5.10~~
(commencing with Section 25499) to Division 15 of, the Public
Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2614, as amended, John A. Perez. Energy: home retrofit: federal
program.

~~(1) Existing~~

Existing law requires the State Energy Resources Conservation and
Development Commission to administer federal funds pursuant to
specified federal programs to eligible entities to reduce fossil fuel
emissions, improve energy efficiency, and reduce overall energy use.

This bill would require the commission, upon the enactment of *the*
~~federal legislation establishing the Retrofit for Energy and~~
~~Environmental Performance (REEP) program~~ *Home Star Energy Retrofit*
Act of 2010, in consultation with the United States Department of
Energy, to develop a program to implement the REEP program in the
~~state programs that are required by, and that complement, the federal~~
act. The bill would require the commission, in consultation with specified

entities, to take specified actions to implement the federal Home Star program.

~~(2) The federal American Recovery and Reinvestment Act of 2009 allocates federal funds to the state that are administered by the commission for various energy-related projects.~~

~~This bill would require the commission to facilitate any energy-related activities or programs created from an expansion of the federal American Recovery and Reinvestment Act of 2009.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The United States Congress is currently working to enact
4 bipartisan legislation related to the Home Star Energy Retrofit
5 Act of 2010 (House Resolution 5019). The federal Home Star
6 program is a six-billion-dollar (\$6,000,000,000) national effort
7 designed to create jobs, spur manufacturing, and promote
8 technological innovation by providing incentives for residential
9 energy efficiency improvements.

10 (b) The federal Home Star program is comprised of Silver Star
11 and Gold Star rebates, comprehensive energy audits, independent
12 quality assurance checks, and various financing options.
13 Nationwide, the federal Home Star program is projected to create
14 almost 200,000 jobs and enable 3,000,000 home energy retrofits.

15 (c) It is critically important that California integrate the federal
16 Home Star program with existing state energy efficiency programs,
17 including the investor owned and municipal utility efforts, the State
18 Energy Resources Conservation and Development Commission's
19 actions to implement the provisions of Chapter 470 of the Statutes
20 of 2009 and to expand the development and the use of Property
21 Assessed Clean Energy bonds to finance energy or water efficiency
22 improvement.

23 (d) California also received two hundred twenty-six million
24 dollars (\$226,000,000) from the federal American Recovery and
25 Reinvestment Act of 2009 (Public Law 111-5) for the State Energy
26 Program (SEP). California's SEP will increase residential and
27 commercial building energy efficiency, reduce energy consumption

1 *and utility bills, cut reliance on imported energy, and decrease*
2 *the impacts on the environment caused by energy production.*

3 *(e) California needs to ensure that it is in the best position to*
4 *maximize and fully leverage the federal resources that will flow*
5 *to its homeowners and businesses from the federal Home Star*
6 *program.*

7 *SEC. 2. Chapter 5.10 (commencing with Section 25499) is*
8 *added to Division 15 of the Public Resources Code, to read:*

9
10 *CHAPTER 5.10. HOME STAR PROGRAM*
11

12 *25499. (a) Upon the enactment of the federal Home Star*
13 *Energy Retrofit Act of 2010 (House Resolution 5019), the*
14 *commission shall, in consultation with the United States*
15 *Department of Energy, develop programs that are required by,*
16 *and that complement, the federal act that, among other things, do*
17 *all of the following:*

18 *(1) Establish a quality assurance program.*

19 *(2) Ensure that a qualified pool of professionals is available to*
20 *perform quality assurance checks.*

21 *(3) Ensure that the requisite quality assurance is performed.*

22 *(4) Develop financing options.*

23 *(b) The commission, working in conjunction with the Department*
24 *of Community Services and Development and the Public Utilities*
25 *Commission, shall streamline procedures for eligible low-income*
26 *homeowners to receive assistance for energy efficiency retrofit.*

27 *(c) The commission shall, working in conjunction with the Public*
28 *Utilities Commission, the electric utilities, and the gas utilities,*
29 *coordinate program implementation efforts and provide proper*
30 *outreach to minimize consumer confusion and the orderly*
31 *implementation of the federal Home Star program.*

32 *(d) The commission shall, in coordination with the Green Collar*
33 *Jobs Council, ensure that the council's programs, policies, and*
34 *participants are complementary to the federal Home Star program*
35 *to the greatest extent possible.*

36 *(e) (1) The commission may adopt guidelines governing the*
37 *award, eligibility, and administration of funding pursuant to this*
38 *section at a publicly noticed meeting.*

39 *(2) For the initial adoption of guidelines, the commission shall*
40 *provide written notice to the public of not less than 30 days.*

1 (3) For substantive amendments to the guidelines, the
2 commission shall provide written public notice of not less than 15
3 days.

4 (4) Notwithstanding any other law, guidelines adopted pursuant
5 to this subdivision shall be exempt from the requirements of
6 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
7 3 of Title 2 of the Government Code.

8 SECTION 1. ~~Section 25450.6 is added to the Public Resources~~
9 ~~Code, to read:~~

10 25450.6. ~~The commission shall facilitate any energy-related~~
11 ~~activities or programs created by the federal government pursuant~~
12 ~~to an expansion of the federal American Recovery and~~
13 ~~Reinvestment Act of 2009 (Public Law 111-5).~~

14 SEC. 2. ~~Chapter 5.10 (commencing with Section 25499) is~~
15 ~~added to Division 15 of the Public Resources Code, to read:~~

16
17 CHAPTER 5.10. FEDERAL FUNDING FOR RETROFIT FOR ENERGY
18 AND ENVIRONMENTAL PERFORMANCE
19

20 25499. (a) ~~Upon the enactment of federal legislation~~
21 ~~establishing the Retrofit for Energy and Environmental~~
22 ~~Performance (REEP) program, the commission shall, in~~
23 ~~consultation with the United States Department of Energy, develop~~
24 ~~a program implementing the Retrofit for Energy and Environmental~~
25 ~~Performance (REEP) program in California.~~

26 (b) ~~In developing the program, the commission shall ensure the~~
27 ~~participation of stakeholders representing various interests,~~
28 ~~including workforce development, consumer awareness, and~~
29 ~~technical standards. The commission shall ensure the appropriate~~
30 ~~level of governmental coordination for efficient implementation~~
31 ~~of the program and avoiding duplication of efforts.~~

32 (c) ~~The program shall do all of the following:~~

33 (1) ~~Ensure that building retrofit is properly performed in~~
34 ~~compliance with all applicable laws, rules, and regulations.~~

35 (2) ~~Identify applicable industrial performance standards to~~
36 ~~guarantee quality work.~~

37 (3) ~~Provide for accountability.~~

38 (4) ~~Ensure that the projected energy savings are realized.~~

- 1 ~~(5) Ensure that work funded by the program is inspected by~~
2 ~~credentialed professionals to safeguard against waste, fraud, and~~
3 ~~abuse.~~
- 4 ~~(6) Provide incentives to contractors to invest in training and a~~
5 ~~certified workforce.~~
- 6 ~~(d) The commission shall establish timely guidelines to ensure~~
7 ~~speedy and efficient implementation of the program.~~